

MAR-01 '04 12:04PM FROM-AKERMAN SENTERFITT

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T-716 P.15/27 F-474

MAR 01 '04 08:39 FR IBM RTP LEGAL DEPT 919 254 4330 TD 915616535333

P.02/07

Appn. No. : 09/898,282
Applicant : Printz, et al.
Filed : July 3, 2001
TC/A.U. : 2635
Examiner : Wozniak, James S.

Docket No. : 6169-186
IBM Docket No. : BOC9-2000-0052

Confirmation No. 2227

4/Decl

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22203-1450

Sir:

I, Bruce A. Smith, a citizen of the United States of America, residing at 1002 West Starlington Place, Apex, NC 27502-8938, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) of Boca Raton, Florida at the time the above-identified application was conceived and continue to be employed by IBM. I make this declaration in support the above-identified application.

2. IBM has invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit IBM Confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached IBM Confidential Invention Disclosure BOC8-2000-0067.

4. I make this Declaration to establish that I co-conceived of the present invention at least as early as June 26, 2000, and exercised due diligence from prior to June 26, 2000 to July 3, 2001, the filing date for the above-identified patent application.

(WP170300-1)

MAR-01-04 12:04PM FROM-AKERMAN SENTERFITT

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5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Bruce A. Smith
Bruce A. Smith
Date: Mar 1 2004

STATE OF NORTH CAROLINA)
COUNTY OF WAKE) ss:
)

The foregoing instrument was sworn to and subscribed before me this 1st day of March, 2004, by BRUCE A. SMITH, who is personally known to me or who has produced IBM Badge (Type of Identification) as identification.

Jennifer Dianne Lane
NOTARY PUBLIC,
STATE OF NORTH CAROLINA
Jennifer Dianne Lane
(Prim. Type or Stamp Commissioned Name of Notary Public)

My Commission expires May 18, 2007.

{WP170300:1}